

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

UNITED STATES OF AMERICA,)	CIVIL ACTION NO. 1:21CV564
)	
Plaintiff,)	SENIOR JUDGE
)	CHRISTOPHER A. BOYKO
v.)	
)	
REAL PROPERTY LOCATED AT 100)	
MOUNTAIN VIEW DRIVE,)	
MORELAND HILLS, OHIO,)	
CUYAHOGA COUNTY)	JOINT MOTION TO REVISE
PERMANENT PARCEL NOS:)	INTERLOCUTORY SALE
913-06-001, 913-06-005, et al.,)	<u>ORDER</u>
)	
Defendants.)	

The United States of America, by Bridget M. Brennan, Acting United States Attorney for the Northern District of Ohio, and Henry F. DeBaggis, Assistant U.S. Attorney, Eyton Senders, individually, and as member and authorized representative of Corner Green LLC, N. Laurel Avenue Property Holdings LLC, ES Global Real Estate Holdings LLC, and 100 Mountain View LLC, by their attorney, Edmund W. Searby, respectfully move the Court to revise the Interlocutory Sale Order as it relates to payment of the mechanic's lien on the property located at 100 Mountain View Drive, Moreland Hills, Ohio. (R. 37: Order, PageID 264).

As it relates to this defendant property, the Order states:

4. As it relates to the Defendant Subject Property 100 Mountain View Drive, Moreland Hills, Ohio, the parties agree that the payment priority schedule outlined in paragraph 8 below shall apply and under that schedule the U.S. Marshal shall also pay Select Homes of Northeast Ohio, Ltd.'s mechanic's lien in the amount of \$473,582.00. The payment of this recorded mechanic's lien amount shall be in full satisfaction of said

mechanic's lien filed with the Cuyahoga County Recorder's Office on November 20, 2020, No. 202011200037. (*Id.*, PageID 266).

Since the Order issued, government counsel has inspected the Mountain View property, the case agents have met with the owner of Select Homes of Northeast Ohio, Ltd. and his counsel and the parties have negotiated a reduction in the lien amount to \$168,538.00. The parties respectfully request that paragraph 4 in the Order be revised to reflect the reduced amount. A proposed order is attached.

WHEREFORE, the United States and Eyton Senders, Corner Green LLC, N. Laurel Avenue Property Holdings LLC, ES Global Real Estate Holdings LLC, and 100 Mountain View LLC, move that the Court enter a revised interlocutory order.

Respectfully submitted,
Bridget M. Brennan
United States Attorney

Date: 12/2/2021

By: /s/ Henry F. DeBaggis
Henry F. DeBaggis (OH: 0007561)
Assistant U.S. Attorney
United States Court House
801 West Superior Avenue, Suite 400
Cleveland, Ohio 44113
Phone: (216) 622-3769
Henry.DeBaggis@usdoj.gov

Date: 12/2/2021

/s/ Edmund W. Searby by email authorization
Edmund W. Searby (OH: 0067455)
Attorney for Eyton Senders, Corner Green LLC,
N. Laurel Avenue Property Holdings LLC, ES
Global Real Estate Holdings LLC and 100
Mountain View LLC.
esearby@searby.law

Dated: 12/2/2021

/s/ Eyton Senders by email authorization

Eyton Senders, Individually and as Authorized
Representative for Corner Green LLC,
N. Laurel Avenue Property Holdings LLC,
ES Global Real Estate Holdings LLC and 100
Mountain View LLC.

Claimants